

**Minutes of a meeting of Planning Committee A
held on Thursday, 26 April 2018
from 7.00 p.m. to 7.53 p.m.**

Present: Edward Matthews (Chairman)
Antony Watts Williams (Vice-Chairman)

Jonathan Ash-Edwards*
Ginny Heard

Margaret Hersey
Gary Marsh*
Norman Mockford

Neville Walker
John Wilkinson
Peter Wyan

* Absent

Also Present: Cllr Andrew MacNaughton

1. SUBSTITUTES

Cllr Christopher Hersey substituted for Cllr Jonathan Ash-Edwards.

2. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Marsh and Ash-Edwards.

3. DECLARATIONS OF INTEREST

None

4. MINUTES

The minutes of the meeting of the Committee held on 29 March 2018 were agreed as a correct record and signed by the Chairman.

5. APPLICATIONS AND OTHER MATTERS CONSIDERED

DM/15/2830 – Land at Dunnings Mill, Dunnings Road, East Grinstead, West Sussex, RH19 4QW

Steven King, Planning Applications Team Leader, introduced the report that sought outline planning permission for the erection of 12 houses on land at Dunnings Mill. He confirmed that the application was considered at a previous committee however since the resolution to approve the application the District Plan has been adopted which resulted in a significant change in planning policy circumstances. As such it was necessary to reassess the application in light of the changed planning policy background. It was stated that although the application would be contrary to Policies DP12, DP15 and DP6 of the District Plan, other material considerations such as the provision of 4 affordable housing units outweighed the conflicts to the Plan. The Team Leader advised that policy DP12 sought to protect the intrinsic character of the countryside. He advised that in officer's view the application would not conflict with the aim of policy DP12 because the site was bounded on 3 sides by built development and was not an incursion into the wider countryside. The Planning

Applications Team Leader also highlighted the applicant's fall-back position of submitting a policy compliant scheme for 9 dwellings which would not provide any affordable housing.

Jess Smith and Ivor Humphries, local residents, spoke against the application.

A Member believed the measures to change the levels on the site to prevent the flooding issue and bring the site forward for development to be quite drastic.

Another Member directed the committee to P.22 of the report which outlines that drainage on the site can be brought forward satisfactorily therefore should not be used as a reason for refusal.

A Member noted the conflicts to the District Plan however reminded Members that they cannot refuse every planning application just because the District Plan is in place. He could not find a planning reason to refuse the application as he felt the material considerations outweigh the conflicts with the District Plan.

The Chairman noted that no other Member wished to speak so moved to the recommendation to approve which was agreed unanimously.

RESOLVED

Recommendation A

That permission be granted, subject to the completion of a section 106 legal agreement to secure the necessary infrastructure contributions and mitigation and to the conditions listed at Appendix A.

Recommendation B

That if the applicants have not completed a satisfactory signed planning obligation securing the necessary infrastructure contributions including the affordable housing by 26th July 2018, then it is recommended that permission be refused, at the discretion of the Divisional Leader for Planning and Economy, for following reason:

'In the absence of signed legal agreement the application fails to deliver the necessary infrastructure, affordable housing and Ashdown Forest mitigation and as such conflicts with Policies DP17, DP20 and DP31 of the Mid Sussex District Plan and Policies EG5 and EG16 of the Neighbourhood Plan.'

DM/17/0402 – Tiltwood East, Hophurst Lane, Crawley Down, Crawley, West Sussex, RH10 4LL

Susan Dubberley, Senior Planning Officer, introduced the report that sought full planning permission for the construction of two new 5 bedroom dwellings. She explained that the committee must review the application in light of the District Plan which the officers deem to comply with on a number of polices.

Dr Ian Gibson, local resident, spoke against the application.

Philip Andrews, Agent and Architect for the applicant, spoke in favour of the application.

A Member sought clarification on whether the committee can take into account

previous planning history in their consideration.

The Senior Planning Officer noted that there has been more than one owner of the previous applications on the Tiltwood Estate, therefore the committee cannot re-visit past approvals and must judge the application on its own merits.

The Member expressed how the Council must be conscious of the future in case the applicant brings forward other phases on the site.

Tom Clark, Solicitor to the Council, noted that it is difficult to say that the applicant is avoiding Policy DP6 of the District Plan as the Plan had only been recently made on 28th March 2018, after the application had been submitted.

The Chairman noted that no Member wished to speak so moved to the recommendation to approve which was agreed unanimously.

RESOLVED

Recommendation A

That planning permission be granted subject to the completion of a section 106 legal agreement to secure the necessary SAMM contributions and the conditions listed in the Appendix.

Recommendation B

That if the applicants have not entered into a satisfactory section 106 agreement to secure the necessary SAMM payments by 19th July 2018 then the application should be refused at the discretion of the Divisional Leader for Planning and Economy for the following reason:

The proposal does not adequately mitigate the potential impact on the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) and would therefore be contrary to the Conservation and Habitats and Species Regulations 2010, policy DP17 of the District Plan and Paragraph 118 of the National Planning Policy Framework.

DM/17/4280 – Land To The East of Walnut Marches, Crawley Down Road, Felbridge, East Grinstead, West Sussex, RH19 2PS

Steven King, Planning Applications Team Leader, introduced the report for the development of three 5 bedroom detached houses. He confirmed that the planning policy background has changed since the application was considered at a previous Planning Committee as a result of the adoption of the District Plan on 28th March. As such it was necessary to reassess the application in light of the changed planning policy background. The Planning Applications Team Leader highlighted the conflicts with policies DP6, DP12 and DP15 of the District Plan. He advised that other material considerations that outweighed the conflicts to the Plan. The Team Leader advised that policy DP12 sought to protect the intrinsic character of the countryside. He advised that in officers view the application would not conflict with the aim of policy DP12 because the site was not in open countryside, was in close proximity to the built up area boundary of Felbridge and there were a number of other housing developments that had been approved in the immediate vicinity to the site.

Dr Ian Gibson, local resident, spoke against the application.

Richard Plume, spoke on behalf of the applicant, in favour of the application.

The Chairman noted that no Member wished to speak so moved to the recommendation to approve which was agreed unanimously.

RESOLVED

Recommendation A

That permission be granted, subject to the completion of a section 106 legal agreement to secure the necessary financial contributions towards SAMM mitigation, conditions listed at Appendix A and to the additional informative listed on the Agenda Update Sheet.

Recommendation B

That if the applicants have not completed a satisfactory signed planning obligation securing the necessary infrastructure payments and affordable housing by the 26th July 2018, then it is recommended that permission be refused, at the discretion of the Divisional Leader for Planning and Economy, for the following reason:

'In the absence of a signed legal agreement the applications fails to deliver the necessary Ashdown Forest mitigation and as such conflicts with Policy DP17 of the Mid Sussex District Plan and Policy EG16 of the Neighbourhood Plan.'

Meeting closed at 19:53

Chairman.